

Message Text

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PAGE 01 STATE 012409
ORIGIN OES-07

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TOKYO FOR HENoch

E.O. 11652:NA

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SUBJECT: U.S.-CANADA EXCHANGE OF NOTES

1. RECENTLY, YOU ASKED DOE FOR ADDITIONAL INFORMATION ON
IMPACT OF NOVEMBER 15, 1977 EXCHANGE OF NOTES BETWEEN
CANADA AND U.S. ON CANADIAN-ORIGIN URANIUM ENRICHED BY U.S.
FOR JAPANESE UTILITIES. PROCEDURAL DETAILS FOR HANDLING
THIS MATTER ARE STILL IN PROCESS OF BEING DEVELOPED, BUT
MEETING WITH CANADIANS ON JANUARY 10 APPEARS TO HAVE
CLARIFIED MANY ASPECTS.

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PAGE 02 STATE 012409

2. ACCORDING TO CANADIAN AECB REPS, JAPAN IS ALREADY
DEVELOPING NECESSARY ARRANGEMENTS FOR TRACKING MATERIAL
IN JAPAN INVOLVING CANADIAN-ORIGIN URANIUM, INCLUDING (TO
THE BEST OF ITS ABILITY) THAT OBTAINED PRIOR TO 1978.
BASED ON THIS INFORMATION, JAPAN WILL NOTIFY THE U.S. WHEN
IT WISHES TO RETRANSFER OR REPROCESS SUCH MATERIAL. FOR
THE NEXT THREE YEARS, CONSISTENT WITH THE EC-CANADA

AGREEMENT, CANADA WILL "CONSULT" WITH JAPAN WHEN THE LATTER WISHES TO REPROCESS, RATHER THAN "APPROVE." A JAPANESE-CANADIAN TECHNICAL WORKING GROUP WILL BE SET UP WHICH WILL MEET PERIODICALLY. THIS GROUP WILL CONSIDER RETRANSFERS

AND REPROCESSING WHICH JAPAN ANTICIPATES TO OCCUR OVER SOME FUTURE PERIOD (PROBABLY SIX MONTHS) AND WILL REACH AGREEMENT IN ADVANCE. THEREAFTER, THE U.S. WILL BE ADVISED OF THIS AGREEMENT SO THAT WE WILL NOT REPEAT NOT HAVE TO OBTAIN FURTHER CANADIAN APPROVAL WHEN, AND IF, APPROVAL FOR THESE ACTIONS IS SOUGHT FROM U.S. BY JAPAN.

3. FYI -- WE POINTED OUT THAT UNDER EXCHANGE OF NOTES U.S. OBLIGATION TO OBTAIN CANADIAN APPROVAL WHEN NOTIFIED BY JAPAN APPLIES ONLY TO URANIUM IMPORTED FROM CANADA TO U.S. ON OR AFTER NOVEMBER 15, 1977. HOWEVER, WE ADVISED CANADIANS THAT WE WOULD NOT STAND ON THIS LEGAL INTERPRETATION AND WOULD, WHENEVER ADVISED BY JAPAN OF CANADIAN RIGHTS, SEEK CANADIAN APPROVAL REGARDLESS OF WHEN URANIUM WAS IMPORTED. WE ALSO POINTED OUT THAT IF TRACKING SYSTEM WAS EFFECTIVE AND JAPANESE CONSCIENTIOUS IN ADVISING U.S. OF CANADIAN RIGHTS, WE SAW FEW IF ANY CIRCUMSTANCES UNDER WHICH WE WOULD FEEL OBLIGED TO "CONSULT" WITH CANADA UNDER TERMS OF NOVEMBER 15 EXCHANGE OF NOTES. END FYI.

4. WITH RESPECT TO EXPORTS OF ENRICHED URANIUM INVOLVING LIMITED OFFICIAL USE

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PAGE 03 STATE 012409

CANADIAN-ORIGIN MATERIAL DIRECTLY FROM U.S. TO JAPAN, CANADIANS ALSO EXPECT TO BE ABLE TO GIVE ADVANCE APPROVAL TO U.S. FOR SUCH EXPORTS ON A PERIODIC BASIS.

5. FURTHER TECHNICAL-LEVEL MEETINGS ARE PLANNED BETWEEN DOE/NRC AND CANADIAN AECB TO WORK OUT DETAILED IMPLEMENTING PROCEDURES. CHRISTOPHER

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